



# State of Utah

## Department of Natural Resources

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas & Mining

JOHN R. BAZA  
Division Director

JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

#### Representatives Present During the Inspection:

OGM	Priscilla Burton	Environmental Scientist III
Company	Patrick D. Collins	Resident Agent

## Inspection Report

Permit Number:	C0070012
Inspection Type:	COMPLETE
Inspection Date:	Monday, September 25, 2006
Start Date/Time:	9/25/2006 11:30:00 PM
End Date/Time:	9/25/2006 3:00:00 PM
Last Inspection:	Tuesday, August 29, 2006

Inspector: Priscilla Burton, Environmental Scientist III

Weather: sun 70 F

InspectionID Report Number: 1084

Accepted by: whedberg *gk*  
10/3/2006

Permittee: **NEVADA ELECTRIC INVESTMENT CO**

Operator: **NEVADA ELECTRIC INVESTMENT CO**

Site: **WELLINGTON PREPARATION PLANT**

Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

#### Current Acreages

1,573.50	Total Permitted
392.00	Total Disturbed
	Phase I
	Phase II
	Phase III

#### Mineral Ownership

- ☐ Federal  
☐ State  
☐ County  
☒ Fee  
☐ Other

#### Types of Operations

- ☐ Underground  
☐ Surface  
☒ Loadout  
☒ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

Drove around entire site stopping to look at ditches, culverts, and ponds. All ponds contained some water.

Inspector's Signature: \_\_\_\_\_

*Priscilla Burton*

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

Date: Tuesday, September 26, 2006

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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## Inspection Continuation Sheet

Page 2 of 4

### REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. Permits, Change, Transfer, Renewal, Sale**

Permit last issued 12/20/04. DOGM currently conducting a mid-term review of the permit. Hearing for Fact-of-Violation and Assessment of NOV 06-37-1-1 set for October 30, 2006. The abatement date for all abatement steps written in the violation remains October 7, 2006 (90 days from the July 7, 2006 date of issuance as per R645-401-325, R645-401-327, and R645-401-328.200). This information was relayed to Mr. Collins by email on September 27 and a telephone call on September 28, 2006.

**2. Signs and Markers**

As pointed out during previous inspections, the signs at the main entrance gate and along the County road on the east side of the property do not match. The zip codes are different. The Permittee was again asked to fix the signs so that they are in agreement and both have current information.

**4.a Hydrologic Balance: Diversions**

Ditch UD-1 still ponding water. Water looks to be the same depth as last month.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

All ponds (except the fine slurry pond) are holding some water.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Permittee recently repaired a section of silt fence along the topsoil #4 access road.

**4.d Hydrologic Balance: Water Monitoring**

2nd quarter water monitoring is in the database. Monitoring occurred on May 9, 2006 and was available for review during the inspection. 3rd quarter monitoring was not available for review during the inspection.

**4.e Hydrologic Balance: Effluent Limitations**

UPDES permit UTG 040000 for outfalls 003, 004, 005, 006, 007, 008: daily max for Total Iron 1.0 mg/L, daily maximum for Total Suspended Solids, 70 mg/L, 30 day average for Total Dissolved Solids, 500 mg/L. No flow reported at all outfalls during the second quarter.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

Slurry ponds and water ponds inspected by Patrick Collins on June 27, 2006. MSHA waste piles last inspected on 6/21/06.

**8. Noncoal Waste**

Mr. Collins was encouraged to remove non-coal waste scattered over the site (dismantled pipeline, toppled towers, power poles) as per Section 5.40 pp 6-7 of the MRP.

**15. Cessation of Operations**

There was no activity at the site and no pending prospects reported during the inspection.

**18. Support Facilities, Utility Installations**

First level of the coal hopper/conveyor facility beside the railroad track is flooded with water approximately 15 ft below the surface. The door to this structure is jammed, but not locked. The roof to this structure is closed. Hopper opening and conveyor opening is fenced. The remains of the structure are shown as structure D on DWG E9-3341.

**19. AVS Check**

The Division received supplemental information to the annual report (including documents with the Secretary's signature) on July 26, 2006.

**20. Air Quality Permit**

Section 4.20 of the MRP describes previous Air Quality Approval Orders (AO's). The last AO (DAQE-276-97) was issued in 1992 and revised in 1997 for the COVOL operation. No current AO exists.

**21. Bonding and Insurance**

The Surety Bond #4013097 through Fidelity and Deposit Company of Maryland (Baltimore) was updated in January 2000 to the amount of \$4,904,000. Exhibit A was revised in 2003. Exhibit A states a disturbed area of 394 acres and a permit area of 1,573.5 acres. A separate, supplemental bond of \$203,500 was calculated in 1997 for the COVOL facility (App. J of the MRP).

Liability insurance issued through Price Ins. Co. and USF Ins. Co, expires 2/9/07.